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Claims 7-13, 15, 34-36, and 38 are allowed over the prior art of record and in light of applicant's arguments.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 08/04/08 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: claims 8-13 and 15, after "as recited in claim", please delete "0" and substitute --7--.

The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach as a whole the steps of combining a media data segment number and a media data block number to form a media data identification value, the media data block number corresponding to a media data block of a media data segment that corresponds to the media data segment number; applying the media data identification value to a hashing function to produce a media data hash value; mapping

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the media data hash value to a bin of a hash table, the bin of the hash table associated with a device; dividing a media data segment into constituent media data portions, wherein the constituent media data portions comprise media data blocks, media data sub-blocks, or media data bytes; tracking the constituent media data portions based on respective numbers of clients requesting the constituent media data portions; ranking the constituent media data portions in popularity based on the respective numbers of clients requesting the constituent media data portions; determining which constituent media data portions have a popularity that is above a predetermined popularity percentage responsive to the ranking; and replicating the constituent media data portions that are determined to have a popularity that is above the predetermined popularity percentage.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantz B. Jean/
Primary Examiner, Art Unit 2154